

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

LAWRENCE LYNELL SIMMONS,

Plaintiff,

v.

K. NIGEL CRUM, et al.,

Defendants.

Case No. 1:19-cv-301

HON. JANET T. NEFF

**ORDER**

This is a civil action filed by a *pro se* litigant. Defendants filed an Amended Motion to Dismiss (ECF No. 11). Plaintiff filed Motions to Strike (ECF Nos. 24, 27). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation (ECF No. 29) on November 15, 2019, recommending that Plaintiff's motion be denied, Defendants' motion be granted, and the complaint be dismissed with prejudice. The Report and Recommendation was duly served on the parties.<sup>1</sup> No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

**IT IS HEREBY ORDERED** that the Report and Recommendation (ECF. No. 29) is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Plaintiff's Motions to Strike (ECF Nos. 24, 27) are DENIED for the reasons set forth in the Report and Recommendation.

**IT IS FURTHER ORDERED** that Defendants' Amended Motion to Dismiss (ECF No. 11) is GRANTED and the Complaint is DISMISSED with prejudice for the reasons set forth in the Report and Recommendation.

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<sup>1</sup>A review of the court record reveals that a copy of the Report and Recommendation was mailed to Plaintiff's Michigan Avenue address on November 18, 2019, which was later returned to the court as not deliverable (ECF No. 31). On November 25, 2019, a copy of the Report and Recommendation was mailed to Plaintiff's Division Street address.

A Judgment will be entered consistent with this Order.

Dated: December 13, 2019

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge